

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

VINCENT TICCONI and CHRISTINE TICCONI,

Plaintiffs,

v.

MITTELSTAEDT and McNEELY, P.C., and
CHRISTOPHER E. McNEELY,

Defendants.

Case No. 13-14153

Honorable John Corbett O'Meara

ORDER OF PARTIAL DISMISSAL

Plaintiffs Vincent and Christine Ticconi filed a four-count complaint in this court, alleging the following causes of action: Count I, violations of the Fair Debt Collection Practices Act, 15 U.S.C. §§ 1692 *et seq.*; Count II, invasion of privacy by intrusion upon seclusion; Count III, violations of the Michigan Occupational Code; and Count IV, violations of the Michigan Collection Practices Act.

Although Plaintiffs' cause of action arising under federal law is cognizable in this court pursuant to 28 U.S.C. § 1331, the remaining allegations of the complaint are based solely on state law. This court declines to exercise supplemental jurisdiction over Plaintiffs' state law claims in order to avoid jury confusion. *See* 28 U.S.C. § 1367(c); *United Mine Workers v. Gibbs*, 383 U.S. 715 (1966); and *Padilla v. City of Saginaw*, 867 F. Supp. 1309 (E.D. Mich. 1994).

Therefore, it is hereby **ORDERED** that Counts II, III and IV are **DISMISSED WITHOUT PREJUDICE**.

s/John Corbett O'Meara
United States District Judge

Date: October 22, 2013

I hereby certify that a copy of the foregoing document was served upon counsel of record on this date, October 22, 2013, using the ECF system.

s/William Barkholz
Case Manager